

LEMUEL J. WARD.

MAY 23, 1910.—Ordered to be printed.

Mr. GILL, of Missouri, from the Committee on Claims, submitted the following

ADVERSE REPORT.

[To accompany H. R. 14938.]

The Committee on Claims, to whom was referred the bill (H. R. 14938) for the relief of Lemuel J. Ward, having considered the same, report thereon with a recommendation that it do not pass.

Appended hereto is a letter from the Department of the Interior, which is made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, May 18, 1910.

SIR: I have the honor to acknowledge the receipt, by your reference for report, under date of April 25, 1910, of H. R. 14938, being "A bill for the relief of Lemuel J. Ward."

The bill authorizes the Secretary of the Treasury to pay to Lemuel J. Ward, of Glen Rose, Somerville County, Tex., the sum of \$15,945 for depredations committed by Indians at Loda Springs, on Bear River, Utah, in the year 1854, "lapse of time to the contrary notwithstanding."

An examination of the records of Indian depredation claims in the Indian Office fails to disclose that any such claim has ever been filed. This department, therefore, is unable to advise you regarding the merits of the case.

There were upon the statute books of the United States at the time of the commission of the alleged depredation statutes providing for the payment of such claims out of the funds of Indian tribes, under certain restrictions, and by the act of March 3, 1891 (26 Stat. L., 851), the Court of Claims was invested with jurisdiction to try such cases, and it was therein provided that all claims not filed in the Court of Claims within three years after the passage of the act should be thereafter forever barred.

The long period of time which has elapsed since the commission of the alleged depredation makes it extremely difficult and almost impossible for the Government to obtain either reliable or accurate information for the proper determination of the facts, and the claimant himself has been guilty of laches in not presenting the matter at a time when a complete examination of the facts would have been possible.

The department respectfully recommends that the bill be reported unfavorably.

Very respectfully,

R. A. BALLINGER, *Secretary.*

HON. GEORGE W. PRINCE,
Chairman Committee on Claims, House of Representatives.